

City of Burien

BURIEN PLANNING COMMISSION

September 9, 2015

7:00 p.m.

Multipurpose Room/Council Chambers

MINUTES

To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Curtis Olsen called the September 9, 2015, meeting of the Burien Planning Commission to order at 7:02 p.m.

ROLL CALL

Present: Butch Henderson, Joel Millar, Curtis Olsen, Amy Rosenfield and Brooks Stanfield

Absent: Jim Clingan and Douglas Weber

Administrative staff present: David Johanson, senior planner; Brandi Eyerly, planner

APPROVAL OF MINUTES

Direction/Action

Motion was made by Commissioner Stanfield, seconded by Commissioner Henderson, and passed 5-0 to approve the minutes of the August 26, 2015, meeting.

PUBLIC COMMENT

Michael Noakes, 16409 Maplewild Ave SW, asked the commissioners to reject the proposed amendments to the Shoreline Master Program (SMP).

Darla Green, 14970 21st Ave SW, said she does not believe consideration of the proposed amendments to the SMP is an effective use of city resources and asked that the commissioners not recommend that the City Council adopt the proposed amendments to the SMP.

Andy Ryan, 16525 Maplewild Ave SW, said while he agrees with the other speakers, he is not clear on how the proposed amendments would impact the SMP. He suggested that perhaps a matrix of the before and after of the proposed changes would help them all to understand what everyone is talking about. He said the shoreline homeowners are owed that.

OLD BUSINESS

- A. Recommendation to the City Council regarding Limited Amendments to Burien's Shoreline Master Program

David Johanson, senior planner, gave a brief summary of the proposed amendments and the work the commission has done to date regarding the amendments. He reminded the commissioners that at the previous meeting they voted to table a motion to recommend to the City Council approval of the proposed amendments.

Commissioner Millar asked if there is any potential for buffer changes with the amendments. Mr. Johanson replied that there is, that by incorporating the changes made in June to BMC Chapter 19.40 into the SMP there will be increases in wetland buffers and buffers for non-fish-bearing streams. The changes were made to comply with the Growth Management Act's requirement to apply best available science to the critical area ordinance. He noted that some flexibility in the CAO was retained, such as buffer averaging and buffer reduction with enhancement.

Commissioner Millar also asked if there are scheduled revision periods for the SMP. Mr. Johanson replied that he believes 2019 is the year prescribed for revision of the SMP. Commissioner Millar asked if residents could propose amendments to the SMP; Mr. Johanson replied that residents can request the City Council consider amendments and the council could then initiate a work program item for proposed amendments. Commissioner Millar stated that, given the time and resources spent by residents and the City to create the SMP, he believes any revisions should occur only during the defined periods for revisions.

Commissioner Stanfield, referring to the staff memo in the packet dated September 2, 2015, said he'd like to review the comments received and the staff responses. Regarding the first comment, addressing mitigation, he said he doesn't see much of a difference between the original text and the proposed text. Mr. Johanson agreed that there already is similar language in the SMP.

Mr. Johanson pointed out that many things in the CAO were updated, but the changes to the wetland and stream buffers probably are the most substantive. He added that he talked with the City's CAO update consultant, The Watershed Company, and found out that many other westside cities are incorporating their updated CAOs into their SMPs; this is not a process unique to the City of Burien. He reiterated that recent update to the Burien's CAO was to apply the best available science standards required by the Growth Management Act and was accepted, with comments, by the state Department of Ecology. He assured that the CAO does not change any shoreline buffers established in the SMP, nor are there any substantive amendments to the geologically hazardous areas section of the CAO.

Commissioner Stanfield said, looking at the Critical Areas map, that there are no wetlands in the marine buffer area. Mr. Johanson replied that the only marine wetlands that have been documented to his knowledge are within Seahurst Park, and there may be a small one in Eagle Landing Park, although he's not sure how much of them are within 200 feet of the shoreline. He cautioned that the Critical Areas map is a guide to further investigation, not the definitive answer as to whether or not a particular critical area exists.

Commissioner Stanfield said he is appreciative of the time and resources that went into the creation of the SMP and of the staff time and city resources that go into addressing an issue that has a lot of resident interest. He said he feels that if we use best available science to design standards for ecological functions in certain sections of the community, they should be applied fairly and consistently throughout the city. He said it's a struggle he's having internally, but cannot see any reason it should not be applied consistently.

Chair Olsen asked what property owners would be affected by the proposed changes. Mr. Johanson said an estimated 8 to 15 additional properties would have the stream buffer. He said he did not look at wetlands.

Chair Olsen asked if there is a process for notification when it comes to changes to the SMP. Mr. Johanson replied that the public hearing was properly noticed and the state Department of Ecology (DOE) will abide by its process as well; ultimately DOE must approve the changes to the SMP.

Mr. Johanson noted that the City Council will consider the recommendation from the Planning Commission, and if it votes to approve the SMP text amendments, the council vote on a resolution to submit the changes to DOE for review and approval. If DOE approves the changes, the Council will vote on an ordinance to adopt and make the changes effective. DOE itself will have some kind of public comment process; he does not know exactly what kind of notification process DOE will use. Mr.

Johanson said while the City did not individually mail notice to every shoreline property owner there was a public hearing notice published in the newspaper; mailed to interested parties who signed in at the SMP forums; e-mailed to the subscribers on the Planning Commission packet, Comprehensive Plan updates and Zoning Code updates lists; and posted on the City's website and social media.

Direction/Action

Commissioner Stanfield moved to take from the table the motion relating to the Planning Commission recommendation to the City Council approval of the Shoreline Master Program text amendments as presented in Attachment 1 of the staff memo. Commissioner Henderson seconded the motion. Motion carried unanimously.

Chair Olsen called for the vote on the original motion; motion carried 4-1, with Commissioners Henderson, Rosenfield, Stanfield and Chair Olsen voting yes, Commissioner Millar voting no.

NEW BUSINESS

None.

PLANNING COMMISSION COMMUNICATIONS

None.

DIRECTOR'S REPORT

None.

ADJOURNMENT

Direction/Action

Commissioner Stanfield moved for adjournment; Vice Chair Rosenfield seconded. Motion carried unanimously. The meeting adjourned at 7:51 p.m.

APPROVED: September 23, 2015

/s/ Curtis Olsen, chair
Planning Commission